

AMENDED IN SENATE JULY 2, 2014
AMENDED IN ASSEMBLY MAY 8, 2014
AMENDED IN ASSEMBLY APRIL 24, 2014
AMENDED IN ASSEMBLY APRIL 21, 2014
AMENDED IN ASSEMBLY MARCH 24, 2014
CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2282

Introduced by Assembly Member Gatto

February 21, 2014

An act to add Sections 17921.5 and 18940.6 to the Health and Safety Code, relating to building standards.

LEGISLATIVE COUNSEL’S DIGEST

AB 2282, as amended, Gatto. Building standards: recycled water infrastructure.

The California Building Standards Law provides for the adoption of building standards by state agencies by requiring all state agencies that adopt or propose adoption of any building standard to submit the building standard to the California Building Standards Commission for approval and adoption. In the absence of a designated state agency, the commission is required to adopt specific building standards, as prescribed. Existing law requires the commission to publish, or cause to be published, editions of the California Building Standards Code in its entirety once every 3 years. Existing law requires the Department of Housing and Community Development to propose the adoption, amendment, or repeal of building standards to the commission and to

adopt, amend, and repeal other rules and regulations for the protection of the public health, safety, and general welfare of the occupants and the public involving buildings and building construction.

This bill would require the department, in consultation with other designated entities, to conduct research to assist in the development of, and to propose the adoption, amendment, or repeal by the commission, of mandatory building standards for the installation of recycled water infrastructure for newly constructed single-family and multifamily residential buildings. The bill would authorize the department to expend funds from the existing Building Standards Administration Special Revolving Fund for this purpose, upon appropriation. The bill would require the department to limit the mandate to install recycled water piping to areas within a local jurisdiction that meet specified conditions, and to consider whether a service area plans to provide potable water prior to mandating the use of recycled water piping. The bill would require the ~~commission to seek advice from specified entities when developing the application provisions for the mandatory building standards.~~ *The department to develop the application provisions in consultation with specified entities. The bill would define the term “recycled water” for these purposes.*

This bill would require the commission to undertake identical research and activities with respect to development of mandatory green building standards for the installation of recycled water infrastructure for newly constructed commercial and public buildings.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 17921.5 is added to the Health and Safety
- 2 Code, to read:
- 3 17921.5. (a) *For purposes of this section, “recycled water”*
- 4 *has the same meaning as that term is defined in subdivision (n) of*
- 5 *Section 13050 of the Water Code, and is consistent with the*
- 6 *recycled water use criteria specified in Chapter 3 (commencing*
- 7 *with Section 60301.100) of Division 4 of Title 22 of the California*
- 8 *Code of Regulations.*
- 9 (b) (1) The department shall conduct research to assist in the
- 10 development of mandatory building standards for the installation
- 11 of recycled water infrastructure for newly constructed single-family

1 and multifamily residential buildings. In conducting this research,
2 the department shall actively consult with the State Water
3 Resources Control Board, the State Department of Public Health,
4 and other interested parties, including, but not limited to, public
5 water systems, recycled water producers, product manufacturers,
6 local building officials, apartment owners, certified contractors,
7 and the building industry.

8 (2) In researching, developing, and proposing mandatory
9 building standards under this section, the department may expend
10 funds from the Building Standards Administration Special
11 Revolving Fund, upon appropriation pursuant to Section 18931.7.

12 (3) Research conducted to propose building standards pursuant
13 to this section shall include, but is not limited to, the following:

14 (A) Potential outdoor applications for recycled water, ~~including~~
15 ~~drip and sprinkler irrigation and use in certain aesthetic water~~
16 ~~features~~ *consistent with the recycled water use criteria specified*
17 *in Chapter 3 (commencing with Section 60301.100) of Division 4*
18 *of Title 22 of the California Code of Regulations.*

19 (B) Potential indoor applications for recycled water, ~~including~~
20 ~~use in toilets, washing machines, or both~~ *consistent with the*
21 *recycled water use criteria specified in Chapter 3 (commencing*
22 *with Section 60301.100) of Division 4 of Title 22 of the California*
23 *Code of Regulations.* With respect to indoor applications, the
24 department shall consider whether to adopt or recommend measures
25 to ensure that indoor recycled water piping is safely installed,
26 including, but not limited to, requiring purple pipe or special
27 markings on recycled water piping that states clearly whether it is
28 approved for indoor use, or recommending restrictions on who
29 may purchase or install recycled water piping for indoor use.

30 (C) The cost of various recycled water systems and
31 infrastructure.

32 (D) The estimated quantity of water savings under varying levels
33 of application of recycled water in residential buildings and
34 adjacent landscaping.

35 (b)

36 (c) (1) The department shall propose the adoption, amendment,
37 or repeal by the California Building Standards Commission
38 pursuant to Chapter 4 (commencing with Section 18935) of Part
39 2.5, of mandatory building standards for the installation of recycled
40 water infrastructure for newly constructed single-family residential

1 and multifamily residential buildings. The department shall submit
2 these proposed mandatory building standards to the commission
3 for consideration in the next regularly scheduled Intervening Code
4 Cycle adopted after January 1, 2017.

5 (2) When developing the application provisions for the
6 mandatory building standards, the department shall limit the
7 mandate to install recycled water piping to only those areas within
8 a local jurisdiction that have feasible and cost-efficient access to
9 a water recycling facility, or that have been identified by the local
10 jurisdiction within a planned service area for the provision of
11 recycled water for which a specific implementation timeline has
12 been identified by the public water system in its most recent urban
13 water management plan.

14 (3) *The mandate to install recycled water piping shall not apply*
15 *to service areas in which the only recycled water use is for potable*
16 *purposes, or in which net nonpotable deliveries are anticipated to*
17 *remain level or decrease as a result of the potable reuse project.*

18 ~~(3)~~

19 (4) The department shall consider whether a service area plans
20 to provide potable water prior to mandating the use of recycled
21 water piping.

22 ~~(4) In developing the mandatory building standards required~~
23 ~~under paragraph (1), the department shall consider the definition~~
24 ~~for recycled water as established in Article 1 (commencing with~~
25 ~~Section 60301.100) of Chapter 3 of Division 4 of Title 22 of the~~
26 ~~California Code of Regulations.~~

27 (5) ~~The department shall seek advice from the State Department~~
28 ~~of Public Health, the Department of Water Resources, develop the~~
29 ~~application provisions for the mandatory building standards~~
30 ~~required under paragraph (1), in consultation with the State Water~~
31 ~~Resources Control Board, public water systems, recycled water~~
32 ~~producers, and water research associations when developing the~~
33 ~~application provisions for the mandatory building standards~~
34 ~~required under paragraph (1): associations.~~

35 (6) A city, county, or city and county, in consultation with the
36 public water system and recycled water producer, may further
37 reduce the area for which the mandate to install recycled water
38 piping applies, if the local public water system or recycled water
39 producer finds that providing recycled water to an area is not
40 feasible or cost effective.

SEC. 2. Section 18940.6 is added to the Health and Safety Code, to read:

18940.6. (a) *For purposes of this section, “recycled water” has the same meaning as that term is defined in subdivision (n) of Section 13050 of the Water Code, and is consistent with the recycled water use criteria specified in Chapter 3 (commencing with Section 60301.100) of Division 4 of Title 22 of the California Code of Regulations.*

(b) (1) The California Building Standards Commission shall conduct research to assist in the development of mandatory green building standards for the installation of recycled water infrastructure for newly constructed commercial and public buildings. ~~In conducting this research, the commission shall actively consult~~ buildings, in consultation with the State Water Resources Control Board, ~~the State Department of Public Health,~~ and other interested parties, including, but not limited to, public water systems, recycled water producers, product manufacturers, local building officials, apartment owners, certified contractors, and the building industry.

(2) In researching, developing, and proposing mandatory building standards under this section, the commission may expend funds from the Building Standards Administration Special Revolving Fund, upon appropriation pursuant to Section 18931.7.

(3) Research conducted in order to propose building standards pursuant to this section shall include, but is not limited to, the following:

(A) Potential outdoor applications for recycled water, ~~including drip and sprinkler irrigation and use in certain aesthetic water features.~~ *consistent with the recycled water use criteria specified in Chapter 3 (commencing with Section 60301.100) of Division 4 of Title 22 of the California Code of Regulations.*

(B) Potential indoor applications for recycled water, ~~including use in toilets, washing machines, or both.~~ *consistent with the recycled water use criteria specified in Chapter 3 (commencing with Section 60301.100) of Division 4 of Title 22 of the California Code of Regulations.* With respect to indoor applications, the commission shall consider whether to adopt or recommend measures to ensure that indoor recycled water piping is safely installed, including, but not limited to, requiring purple pipe or special markings on recycled water piping that states clearly

1 whether it is approved for indoor use, or recommending restrictions
2 on who may purchase or install recycled water piping for indoor
3 use.

4 (C) The cost of various recycled water systems and
5 infrastructure.

6 (D) The estimated quantity of water savings under varying levels
7 of application of recycled water in commercial and public buildings
8 and adjacent landscaping.

9 ~~(b)~~

10 (c) (1) The commission shall develop and adopt mandatory
11 building standards for the installation of recycled water
12 infrastructure for newly constructed commercial and public
13 buildings in the next regularly scheduled Intervening Code Cycle
14 adopted after January 1, 2017.

15 (2) When developing the application provisions for the
16 mandatory building standards, the commission shall limit the
17 mandate to install recycled water piping to only those areas within
18 a local jurisdiction that have feasible and cost-efficient access to
19 a water recycling facility, or that have been identified by the local
20 jurisdiction within a planned service area for the provision of
21 recycled water for which a specific implementation timeline has
22 been identified by the public water system in its most recent urban
23 water management plan.

24 (3) *The mandate to install recycled water piping shall not apply*
25 *to service areas in which the only recycled water use is for potable*
26 *purposes, or in which net nonpotable deliveries are anticipated to*
27 *remain level or decrease as a result of the potable reuse project.*

28 ~~(3)~~

29 (4) The commission shall consider whether a service area plans
30 to provide potable water prior to mandating the use of recycled
31 water piping.

32 ~~(4) In developing the mandatory building standards required~~
33 ~~under paragraph (1), the department shall consider the definition~~
34 ~~for recycled water as established in Article 1 (commencing with~~
35 ~~Section 60301.100) of Chapter 3 of Division 4 of Title 22 of the~~
36 ~~California Code of Regulations.~~

37 (5) ~~The commission shall seek advice from the State Department~~
38 ~~of Public Health, the Department of Water Resources, develop the~~
39 *application provisions for the mandatory building standards*
40 *required under paragraph (1) in consultation with the State Water*

1 Resources Control Board, public water systems, recycled water
2 producers, and water research associations when developing the
3 application provisions for the mandatory building standards
4 required under paragraph (1): *associations*.

5 (6) A city, county, or city and county, in consultation with the
6 public water system and recycled water producer, may further
7 reduce the area for which the mandate to install recycled water
8 piping applies, if the local public water system or recycled water
9 producer finds that providing recycled water to an area is not
10 feasible or cost effective.

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